

REMARKS

Claims 1, 4-41 and 43-47 are pending.

Claim Objections

Claims 1, 14, 25, 36, and 47 are objected to because of the following informalities: The claim language “an implicit method of analyzing the effect of the load or other influence” (claim 1), “an implicit method of analyzing the effect” (claim 14), “an implicit simulation method” (claim 25), “an implicit method” (claims 36 and 47), and similarly the “explicit” methods recited by those claims are generic recitations of concepts broader than the disclosed invention.

It is respectfully submitted that the amendment to the claims and cancellation of other of the claims should fully address this objection.

Claim Rejections Under 35 U.S.C. §101

Claims 1, 4-41, and 43-47 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

It is respectfully submitted that the amendment to the claims and cancellation of other of the claims should fully address this rejection under § 101. The Examiner’s suggestions are largely adopted. Further, the amendment of claims 36-42 so that they no longer recite a data signal embodied in a carrier wave should address the issue regarding those claims.

Claim Rejections Under 35 U.S.C. §102

Claims 47 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,379,227 to Tang et al. ("Tang").

Claim 47 has been amended as is reproduced below.

47. (Currently Amended) A computer implemented method for designing a part, comprising:

performing a finite element simulation of the part, the finite element simulation comprising

an implicit finite element simulation portion and an explicit finite element simulation portion

, the finite element simulation comprising an automatic switch between the implicit finite element simulation portion and the explicit finite element simulation portion if convergence of the solution in the implicit finite element simulation portion is not achieved within a threshold amount of time or iterations.

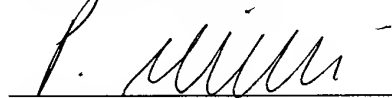
It is respectfully submitted that Tang does not teach all of the limitations of amended claim 47. While Tang does discuss convergence problems, Tang simply does not teach "finite element simulation comprising an automatic switch between the implicit finite element simulation portion and the explicit finite element simulation portion"

In addition to not teaching any type of automatic switch between an implicit and explicit simulation, Tang appears to *teach away* from the use of the explicit simulation when it states "... the explicit time integration method yields inaccurate results ..." Tang at Col. 1, line 53.

Conclusion

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned attorney at (415) 591-1584 would be appreciated.

Respectfully submitted,



Peter G. Mikhail
Reg. No. 46,930

3/8/07
Date

Winston & Strawn
101 California Street
San Francisco, CA 94111
(415) 591-1584 (direct)
(415) 591-1400 (fax)